

# MONTANA BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

## CONTINUING PROFESSIONAL COMPETENCY – CONTINUING EDUCATION GUIDELINES

The following information is provided to aid licensees in determining which activities are eligible to be claimed as qualifying continuing professional competency – continuing education (CPC-CE) activities. This section supplements the administrative rule and gives a more complete understanding of their intent. This information may be useful to licensees who are attempting to meet the requirements; to suppliers or sponsors of CPC-CE activities; and to employers of licensees who may consider becoming sponsors of qualifying "in-house" CPC-CE activities.

### **1.0 GENERAL REQUIREMENTS**

Qualifying CPC-CE activities may be sponsored or presented by colleges or universities, employers, government agencies, nationally affiliated engineering or land surveying technical/professional societies, or by various other individuals or organizations. **The board does not pre-approve courses for professional development hour (PDH) credit.** It is your responsibility to assure that the activities in which you participate meet the CPC-CE requirements as described.

All activities for which professional development hour (PDH) credits are claimed must be relevant to your practice of engineering or land surveying and may include technical, ethical, related business, or managerial content. These activities should advance the professional or technical competence of the licensee.

Qualifying activities that meet Montana's CPC-CE requirement can be earned in any jurisdiction. A PDH credit is roughly equivalent to one clock hour of instruction and should be rounded to the nearest half-hour.

The administrative rule specifies that every licensee is required to obtain 30 PDH prior to each two-year renewal period. If a licensee exceeds the biennial requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the next renewal period. The question arises, "Can a licensee who earns (say) 55 PDH in a two-year biennial period carry forward 25 into the next biennial period?" The answer is no. A maximum carryover of only 15 PDH into the subsequent renewal period is permitted, regardless of whether the next renewal period is one year or two years. The effective dates for CPC-CE are from July 1 to June 30 of even numbered years. (e.g. July 1, 2000 to June 30, 2002; July 1, 2002 to June 30, 2004; etc.)

### **2.0 WHY CPC-CE IS REQUIRED AND WHO APPROVES COURSES**

#### **Credit Criteria for All Qualifying CPC-CE Activities**

The primary purpose of licensing for professional engineers and professional land surveyors is to protect the public from unqualified or unethical practitioners. The requirement for CPC-CE is also intended to protect the public by reinforcing the need for lifelong learning in order to stay current with changing technology, equipment, procedures, processes, tools, and established technical and business standards.

The Administrative Rule of Montana (ARM) 24.183.2105 Continuing Professional Competency-Continuing Education specifies qualifying activities which were designed to give flexibility in selecting among a broad range of subject matter that are intended to strengthen or maintain competency in technical, managerial (business), or ethical fields. Licensees are encouraged to select meaningful CPC-CE activities, which will be of benefit in the pursuit of their chosen fields. At the Montana Board of Professional Engineers and Land

Surveyors (PELS) request, the Montana Society of Engineers (MSE) and the Montana Association of Registered Land Surveyors (MARLS) conduct reviews of course work to determine acceptability of CPC-CE offered by their organizations or others. These two professional societies can be contacted for CPC-CE opportunities or to evaluate and determine qualifying CPC-CE. The Board of PELS retains final authority for approval of CPC-CE courses.

In the remainder of these guidelines, all references to CPC-CE activities or credits assume that such activities or credits are qualifying as described above.

### **The Determination of Qualifying Activities**

The question most asked by licensees is, "How do I know what is acceptable to the board?" Many are looking for assurance that efforts spent will qualify for CPC-CE credit. With the broad range of opportunities for earning CPC-CE credits, the board has elected to distribute information on the requirement of what is and is not acceptable and leave it up to the licensee to assure that the activity qualifies. This permits the widest range of opportunity for licensees to earn CPC-CE credit. Examples of typical qualifying and non-qualifying activities are listed later in section 5.0 of this document.

## **3.0 PDH DEFINITION AND REQUIREMENTS**

### **What is a Professional Development Hour?**

The term Professional Development Hour(s) (abbreviated PDH) is defined as a contact hour (nominal) of instruction or presentation. It is the common denominator for the other units of credit. Experience reveals that a number of erroneous interpretations concerning this definition of a PDH can occur. For example, consider a one-day seminar that begins at 8 am and ends at 5 pm with a one-hour break for lunch. The administrative rule intends that the maximum PDH units that can be earned for this seminar are eight. But the question invariably arises, "What about a morning and afternoon break of about 20 minutes each?". The general understanding is that short-term breaks are permissible as long as a minimum of 50 minutes of presentation/participation per hour is undertaken. If there are no breaks or breaks of less than 10 minutes per hour included, no additional time may be claimed. Seminar presenters may attempt to take the number of elapsed minutes (such as 8 hours times 60 minutes) and then divide by 50 to arrive at the PDH units for which the seminar is advertised. This would result in over nine PDH in an eight-hour period, which is not permitted. **The general rule is that PDH units cannot exceed the actual contact clock hours.**

The rule is silent about how to handle fractions of hours. It is recommended that PDH units be rounded and reported to the nearest half-hour and that no activity of under a half-hour be accepted as qualifying for PDH credit. For example, a qualifying activity of 50 minutes would be reported as one PDH and an activity of 40 minutes would be reported as 0.5 PDH.

### **Continuing Education Unit (CEU)**

The Continuing Education Unit (CEU) is a nationally recognized and uniform unit of measure for CPC-CE and training. Since one CEU is awarded for each 10 contact hours of instruction, it logically follows that one CEU is equivalent to 10 PDH. For the purpose of CPC-CE activity for professional engineers and professional land surveyors, the CEU must further meet the requirements as defined below for Course/Activity. When a sponsor of CPC-CE qualifying activities fully follows the requirements of the International Association for Continuing Education and Training (IACET) in awarding CEUs, all requirements for PDH will be met. However, boards and licensees should be aware that some organizations may advertise CEU credit without having met all the requirements of the IACET. In addition, it is reported that on occasion, some organizations report one CEU of credit for each contact hour of instruction. If this is known to be the case, action should be taken to prevent over-reporting of PDH units earned.

#### **4.0 COURSES AND ACTIVITIES THAT QUALIFY FOR CPC-CE**

##### **College/Unit Semester/Quarter Hour Credit for ABET approved courses**

The allowance for college/university qualifying courses is as follows:

One college or university qualifying semester hour .....45 PDH

One college or university qualifying quarter hour .....30 PDH

To qualify for this credit, a course must be regularly offered and testing with a passing grade required. One semester hour generally consists of 15 class meetings of 50 or 55 minutes duration. It is assumed that generally, twice as much study time is required as class contact time, thus equating to 45 PDH. Similarly, a quarter hour qualifying course meets 10 times and thus 30 PDH are allowed. Monitoring or auditing courses does not require testing, and thus, only the actual class contact hours are allowed.

On occasion, educational institutions may offer a one-day seminar and award fractional quarter hour credit (such as ½ of a quarter hour). These courses do not qualify on the quarter hour basis since they are not part of the regular curriculum of the educational institution, do not require testing, and have no provision for additional out-of-class study requirements. For courses such as this, only actual contact time would be allowed for PDH credit.

##### **Other Courses and CE Activities**

Other qualifying courses, seminars, corporate sponsored educational activities, programs, and activities as specified in the administrative rule provide one PDH of credit for each contact hour. It is not intended that these courses or activities be undertaken in private, such as a videotaped program in one's home, but rather be conducted in a group setting. A qualifying correspondence course should require the participant to show evidence of achievement and completion, and include a final, graded test.

##### **Teaching Credits**

Teaching of qualifying courses, seminars, or tutorials earns PDH credits for the instructor at twice that of the students. However, it is not intended that repetitive teaching of the same course will earn any credit. PDH credit does not apply for teaching if the registrant is a full-time faculty member.

##### **Credit for a Published Paper, Article, or Book**

The author must have his/her work actually published before credit can be claimed. A published paper must be a serious effort to qualify. For example, a "news" article in a technical or professional or technical bulletin is not considered a published paper. It is recognized that often many more hours are spent in being an author of a publication; however, the PDH credit is established at a fixed 10 PDH.

##### **Active Participation in Professional and Technical Societies**

This item in the administrative rule is intended to encourage licensees to participate fully in appropriate technical and professional societies. Contact with one's peers at such meetings is considered one way of staying abreast of current topics, issues, technical developments, ethical situations, and learning opportunities. This is considered a vital part of CPC-CE, and thus 2 PDH of credit per calendar year can be earned **per organization** if the licensee is an officer or committee member who actively participates within the organization or committee. (Credit of 4 PDH in one organization cannot be claimed if a licensee is both an officer and a committee member.) The technical and professional societies include engineering and land surveying societies such as AIChE, ASCE, ASME, IEEE, ITE, MARLS, MSE, NSPE, NSPS, etc., but do not include civic or trade organizations.

Credit for qualifying seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at a professional and/or technical society meeting will earn PDH units for the actual time of each program. This provision applies to all licensees, not just to officers or committee members. Programs must be educational in nature, relevant to the licensees' practice of

engineering or surveying, and meet all requirements of qualification. Programs at technical or professional societies that are presented on topics that do not qualify, or by speakers/presenters that are not well prepared should not be claimed for PDH credit.

#### **Patents**

Credit for 10 PDH can be claimed after a patent is issued and the inventor submits details to the board. The invention must be related to engineering or land surveying professions.

#### **Self Study**

Self study is considered formatted review of new subject matter or technical information such as a video tape series. It does not include reading of trade journals or magazines. Self study is allowed at a maximum of 1/3 total time per renewal cycle. Self study can be carried over, but is still limited to a total of 1/3 time per renewal cycle. Therefore, if a licensee has 10 hours of PDH in self study, they can claim only 10 hours of self study for the current renewal cycle.

### **5.0 EXAMPLES OF QUALIFYING AND NON-QUALIFYING ACTIVITIES**

In order to clarify further the definition of qualifying and non-qualifying activities, the following examples are given:

#### **Typical Qualifying Activities**

- Completing or attending courses, seminars, instruction, in-house programs, or training of an engineering or land surveying content which relate to the licensee's field of practice.
- Attending technical or professional society meeting when an engineering/land surveying topic is presented as a principal part of the program.
- Teaching a course for the first time. (Note: Teaching counts for non full time faculty members only)
- Attending satellite downlink video courses where attendance is verified and program material meets the requirements.
- Computer software instructional courses which relate to the improvement of one's business or profession.
- Communication courses which relate to the improvement of one's business or profession.
- Management or ethical courses which relate to the improvement of one's business or profession.
- Correspondence courses on an engineering/land surveying topic where lessons are prepared, returned for correction and/or grading and testing at the end of the course is required.
- Certification Maintenance classes such as required for Waste Water Operators, Hazardous Workers, etc.

#### **Typical Non-qualifying Activities**

- Regular employment.
- Real estate licensing courses.
- Personal, estate, or financial planning.
- Reading trade journals or magazines
- Personal self improvement.
- Service club meetings or activities.
- Equipment demonstrations or trade show displays.
- Topics not relevant to engineering or land surveying professions.
- Enrollment without attendance at courses, seminars, etc.
- Repetitive attendance or teaching of the same course.
- Attending general business meetings of any organization.

- Conversational language courses for personal use.
- Taking professional or required examinations.

## **6.0 DUAL REGISTRANTS, CARRY OVER HOURS, AND RECORDKEEPING REQUIREMENTS**

### **Dual Registrants**

The requirement of 15 PDH per year (or 30 per biennial) is the same for single or dual licensees. In other words, a dual licensee is not required to obtain more than 30 PDH per biennium because of the dual licensure. However, the administrative rule specifies that a minimum of one-third of the required PDH must be earned in each profession.

### **Carry Over Hours**

It is the responsibility of the licensee to maintain a log of carry over hours. There is a maximum carryover of 15 PDH per renewal cycle. If a licensee claims carry over hours they must maintain proof of the carryover hours.

### **Record Keeping**

As stated in the rule, the requirement to keep adequate records is the responsibility of the licensee and must be maintained by the licensee for a minimum of three years. This permits the board to conduct random audits of licensees. Do not send these records to the board unless requested for audit; keep them in your files.

Records required include, but are not limited to:

**(1) A Completed Continuing Education Report Form (CERF) or Form #PEL053 which requires the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned.** The CERF form is available on the board web site at

<http://www.discoveringmontana.com/dli/pel> in printable format. This is intended to require specific information on each CPC-CE activity where PDH credit is claimed. For example, simply stating "attending educational activities in 1999 at ABC Company" is not acceptable. Specific information on each activity is required. This includes specific dates for each day attending a qualified activity, the specific location of the activity, a brief statement summarizing the title and specific subject or topic covered. The log will assist you in proper completion of a CERF at the time of renewal.

**(2) Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance.**

The question arises, "Does each activity require attendance verification?". The answer is that a good faith effort should result in obtaining verification for most activities attended. If you attend a qualified CPC-CE activity, ask the sponsor for documentation for your records.

### **Who Should Submit a Completed Continuing Education Report Form (CERF) During Renewals?**

#### **Active Licensees:**

Licensees whom wish to renew as active must complete a renewal form and the CERF. If you are currently licensed in another jurisdiction which has mandatory continuing professional competency requirements and you have met those requirements, you still must complete the Montana Continuing Education Report Form (CERF or Form #PEL053).

#### **Inactive Licensees Applying for Active Status:**

Inactive status licensees can reapply for active status by completing a renewal form and CERF. In addition to paying the renewal fee, inactive licensees have to pay a \$60 reactivation fee.

## **7.0 EXEMPTIONS**

### **Who May Claim an Exemption?**

If you are exempt from the continuing professional competency requirement, you are not required to complete the CERF. Please note exemption from the CPC-CE requirement does not exempt one from the renewal fee(s). If a licensee is exempted from CPC-CE for a renewal cycle, any CPC-CE obtained during the exempted period is not allowed as carry over for the next renewal cycle. (e.g. new licensees can not carry forward hours earned before licensure and any PDH earned during their first license cycle.)

#### **New Licensees**

Those comity and those who within the renewal cycle have passed the required examinations are considered new licensees. New licensees are exempt for the first renewal period only. (e.g. comity applicant licensed after July 1, 2000 or licensee that passed October 2000 examination for the 2000-2002 renewal cycle.) Continuing education taken by new licensees during the exemption period can not be claimed for their subsequent renewal periods.

#### **Temporary Active Duty Status:**

A licensee in the military serving on active duty for over 120 days per year may be exempted each year of service. Supporting documentation must be furnished to and approved by the board.

#### **Physical Disabilities, Illness, or Other Extenuating Circumstances:**

A licensee who has experienced serious illness or injury during the past year of a nature and duration, which has prohibited completing of the CPC-CE requirements, may be exempted. Supporting documentation must be furnished to and approved by the board.

#### **Inactive Status Licensee:**

Inactive status is for those individuals who choose to remain licensed, **but not licensed to practice**, in order to avoid the CPC-CE requirements. The inactive licensee will be identified in the roster as such and will continue to receive all board communications. An inactive licensee may reinstate active status by obtaining a minimum of 30 PDH's for the current licensing period, submitting a completed Reactivation Application, and appropriate fee.

#### **Emeritus Retired Status:**

A former licensee, as an individual, is not performing or offering to perform engineering or land surveying services or making engineering or land surveying decisions.

#### **Other Exemption Requests:**

Any other exemption requested will require a letter of explanation and approval by the board.

#### **90 Day Exemption:**

An active licensee can request a 90-day exemption from the CPC-CE requirements upon renewal provided that the renewal fee is paid. The licensee will be given 90 days to complete the CPC-CE requirements and provide proof of attendance. Those licensees who have not met the requirement at the end of the 90-day grace period will have their license placed on Inactive Status and will be unable to practice until reinstatement.

### **8.0 CPC-CE AUDITS BY THE BOARD**

#### **Audit Process**

The auditing of a percentage of CERF/renewals will be done by a random generated computer selection. Although it is anticipated that licensees will attempt to meet the requirements of the administrative rule with a good faith effort, there is a need for auditing to verify that the statute and rules are being met. The audit also allows the board to identify any communication problems between the board and the licensees.

**Cursory review of forms by board staff** -- Upon receipt of the CERF, a cursory scan of the form by trained

staff can reveal obvious errors in the listing of activities, additions, rounding of PDH hours, carry-over errors, and omitted signatures. Form letters will be used to return forms containing errors to licensees for correction or explanation.

**Randomly selected licensees for audit** -- This is the "official" audit to be conducted by the board after each renewal period. Licensees may be selected by generating random lists of names or license numbers. Each selected licensee will be asked to furnish evidence of attendance or completion of the listed activities. This would include resident and non-resident licensees. Fraudulently reported activities can result in disciplinary action against a licensee.

**Late Renewals** - All Late Renewals will be audited. A late renewal is any renewal application received postmarked after June 30 of even numbered years. (E.g. renewal post marked July 1, 2002 is considered late and is subject to late fees and the CPC-CE audit.) Late renewals will be required to submit proof of obtaining the required PDH.

**90 Day Exemptions** – Those that request a 90 day extension from the CPC-CE requirements will have to provide proof of meeting the CPC-CE requirements before the 90 day period expires.

#### **9.0 ADMINISTRATIVE RULE OF MONTANA (ARM) 24.183.2105**

Note: The latest version of the ARM 24.183.2105 can be viewed on line at <http://www.engineer.mt.gov>, at a local library, or can be obtained by contacting the board office at 406-841-2367.

#### **ARM 24.183.2105 CONTINUING PROFESSIONAL COMPETENCY - CONTINUING EDUCATION**

(1) Every licensee shall meet the continuing professional competency (continuing education) requirements of these regulations for professional development as a condition for licensure renewal. Licensees shall begin accruing credits in 1998, to be reported with the 2000 renewal.

(2) Terms used in this rule are defined as follows:

- (a) "Professional development hour (PDH)" means a contact hour (nominal) of instruction or presentation;
- (b) "Continuing education unit (CEU)" means a unit of credit customarily used for continuing education courses. One continuing education unit equals 10 hours of class in an approved continuing education course;
- (c) "College/unit semester/quarter hour" means credit for courses in ABET approved programs or other related college courses approved in accordance with (5), below;
- (d) "Course/activity" means any qualifying course or activity with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to the licensee's field of practice;
- (e) "Dual licensee" means a person who is licensed as both an engineer and a land surveyor.

(3) Every licensee is required to obtain 30 PDH units during the two-year renewal period. If a licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period. PDH units may be earned as follows:

- (a) successful completion of college courses;
- (b) successful completion of continuing education courses;
- (c) successful completion of correspondence, televised, videotaped and other short courses/tutorials;
- (d) presenting or attending qualifying seminars, in-house courses, workshops or professional or technical presentations made at meetings, conventions or conferences;
- (e) teaching or instruction in (a) through (d), above;
- (f) authoring published papers, articles or books;
- (g) active participation in professional or technical societies;
- (h) patents.

(4) The conversion of other units of credit to PDH units is as follows:

- (a) one college or unit semester hour ..... 45 PDH
- (b) one college or unit quarter hour ..... 30 PDH

- (c) one continuing education unit ..... 10 PDH
- (d) one hour of professional development in course work, seminars or professional or technical presentations made at meetings, conventions or conferences ..... 1 PDH
- (e) each published paper, article or book ..... 10 PDH
- (f) active participation in professional and technical society (each organization) ..... 2 PDH
- (g) each patent ..... 10 PDH
- (h) for teaching apply multiple of two. (Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty.)
- (5) The board has final authority with respect to approval of courses, credit, PDH value for courses and other methods of earning credit.
  - (a) Credit for college or community college approved courses will be based upon course credit established by the college.
  - (b) Credit for qualifying seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDH units for the actual time of each program.
  - (c) Credit determination for each published paper, article or book and each patent is the responsibility of the licensee (subject to review as required by the board).
  - (d) Credit for active participation in professional and technical societies (limited to two PDH per organization) requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDH credits are not earned until the end of each year of service is completed.
- (6) The responsibility of maintaining records to be used to support credits claimed is the responsibility of the licensee. Records required include, but are not limited to:
  - (a) a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name and PDH credits earned;
  - (b) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance; or
  - (c) records as maintained by the professional development registry for engineers and surveyors (PDRES) or other similar repositories. These records must be maintained for a period of three years and copies may be requested by the board for audit verification purposes.
- (7) A licensee may be exempt from the professional development educational requirements for one of the following reasons:
  - (a) New licensees by way of examination or reciprocity shall be exempt for their first renewal period;
  - (b) A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining the professional development hours required during that year;
  - (c) Licensees experiencing physical disability, illness or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board;
  - (d) Licensees who list their occupation as "retired" on the board approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or land surveying services shall be exempt from the professional development hours required. In the event such a person elects to return to active practice of professional engineering or land surveying, professional development hours must be earned before returning to active practice for each year exempted not to exceed the annual requirement for two years.
- (8) The number of PDH units required by dual licensees shall remain 30, at least one-third of which shall be obtained in each profession.
- (9) All renewal applications will require the completion of a continuing education form specified by the board outlining PDH credit claimed. The licensee must supply sufficient detail on the form to permit audit verification, must certify and sign the continuing education form, and submit with the renewal application and fee.
- (10) If a license is not renewed by the board due to failure of the licensee to meet continuing education requirements, the board will notify the licensee in writing and the licensee shall have 90 days past date of notification to obtain continuing education acceptable to the board. If the licensee notifies the board in writing that the licensee intends to obtain the required continuing education within the 90-day period, the license expiration date will automatically be extended to the end of the 90-day period.



- (a) Failure to obtain continuing education acceptable to the board within the 90-day period will result in non-renewal of the license;
- (b) A licensee whose license is not renewed by the end of the 90-day period for failing to obtain the satisfactory PDH will be required to reapply, pay the appropriate fee and obtain the necessary PDH during the non-renewal period (not to exceed the annual requirement for two years acceptable to the board.)